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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(Honorable M. James Lorenz)

UNITED STATES OF AMERICA, Plaintiff, vs. **BERNAL ANTHONY MITCHELL (5),** Defendant.	Case No.: 08-CR-0256-005-L **NOTICE OF MOTION AND MOTION TO DECLARE THE CASE COMPLEX** Date: Time: Hon. M. James Lorenz

TO: THE UNITED STATES OF AMERICA; KAREN HEWITT, UNITED STATES ATTORNEY; AND ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on July 7, 2008 at 3:00 p.m. or as soon thereafter as counsel may be heard, Bernal Anthony Mitchell, by and through his counsel, Mahir T. Sherif, will move this Court to declare his case complex.

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MOTION

The defendant, by and through his counsel, Mahir T. Sherif, and pursuant to Title 18 U.S.C. section 3161(h)(8)(B)(ii) and the Fifth and Sixth Amendments to the United States Constitution, hereby moves this Court to declare this case complex.

The following motion is based upon the instant notice of motion and motion, the attached memorandum of points and authorities, the files and records in the above-entitled case, and all matters that may be brought to this Court's attention prior to or during the hearing on this motion.

Dated: April 2, 2008

Respectfully Submitted,

By: s/ Mahir T. Sherif, Esq.

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